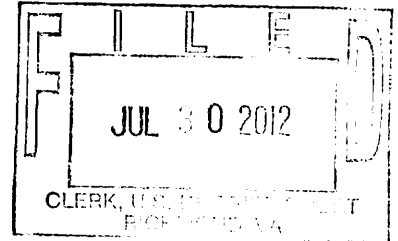


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division



LIBERTARIAN PARTY OF VIRGINIA and  
DARRYL BONNER,

Plaintiffs,

v.

Civil Action No. 3:12cv367-JAG

CHARLES JUDD, KIMBERLY BOWERS, and  
DON PALMER,  
Members of the Virginia State Board of Elections,  
in their official capacities,

Defendants.

**ORDER**

THIS MATTER is before the Court on the parties' Motions for Summary Judgment, the first filed by the plaintiffs on June 21, 2012 (Dk. No 13), and the other filed by the defendants on the same date (Dk. No. 15). For the reasons stated in the accompanying Memorandum Opinion, the defendants' motion is DENIED. The plaintiffs' motion is GRANTED.

The Court hereby DECLARES that the state residency requirement contained in Virginia Code Section 24.2-543 violates the First and Fourteenth Amendments to the United States Constitution. Accordingly, the defendants and their successor members of the Virginia State Board of Elections are hereby PERMANENTLY ENJOINED from enforcing the state residency requirement with respect to the circulation of petitions for independent candidates for the Office of the President of the United States.

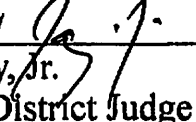
Furthermore, the plaintiffs' motion for preliminary injunction (Dk. No. 2) is DENIED as moot.

Finally, the bench trial scheduled for Friday, August 10, 2012, is cancelled.

It is so ORDERED.

Let the Clerk send a copy of this Order and accompanying Memorandum Opinion to all counsel of record.

Date: July 30, 2012  
Richmond, VA

/s/   
\_\_\_\_\_  
John A. Gibney, Jr.  
United States District Judge